

HOUSE BILL No. 1129

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2-123; IC 9-19.

Synopsis: Passenger restraint laws. Provides that for purposes of the safety belt law a "passenger motor vehicle" includes a truck with a declared gross weight not to exceed 7,000 pounds. Makes it a Class D infraction if the operator of a motor vehicle with a passenger less than 12 years of age does not restrain the child by a child passenger restraint system or safety belt. Repeals a similar provision that applies only to passenger motor vehicles.

Effective: July 1, 2004.

Budak, Reske, Becker

January 20, 2004, read first time and referred to Committee on Public Policy, Ethics and Veterans Affairs.

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Introduced

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

HOUSE BILL No. 1129

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-13-2-123, AS AMENDED BY P.L.21-2003,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2004]: Sec. 123. (a) "Passenger motor vehicle" means, except
4 as provided in subsection (b), a motor vehicle designed for carrying
5 passengers. The term includes a low speed vehicle but does not include
6 a motorcycle, bus, or school bus.

7 (b) For purposes of IC 9-19-10, the term includes buses, school
8 buses, and private buses, and excludes trucks, tractors, and recreational
9 vehicles. **After December 31, 2004, the term includes a truck with**
10 **a declared gross weight not to exceed seven thousand (7,000)**
11 **pounds.**

12 SECTION 2. IC 9-19-11-3.5 IS ADDED TO THE INDIANA CODE
13 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
14 1, 2004]: Sec. 3.5. (a) **This section does not apply to a person who**
15 **operates a motor vehicle in which there is a child passenger who,**
16 **for medical reasons, should not:**

17 **(1) wear a safety belt; or**

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1 (2) be restrained by a child restraint system.
2 (b) A person who operates a motor vehicle in which there is a
3 child passenger and that is equipped with a safety belt meeting the
4 standards in the Federal Motor Vehicle Safety Standard Number
5 208 (49 CFR 571.208) commits a Class D infraction if the child:
6 (1) is at least four (4) years of age but less than twelve (12)
7 years of age; and
8 (2) is not properly fastened and restrained by:
9 (A) a child passenger restraint system; or
10 (B) a safety belt.
11 SECTION 3. IC 9-19-10-2.5 IS REPEALED [EFFECTIVE JULY
12 1, 2004].

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